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Dated: February 13, 2002

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Printed Name: LAER BARRETT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lenz et al.

Assignee: University of Southern California

Filing Date: 11/15/00

Examiner: Zitomer, S.

Serial No.: 09/715,764

Group Art Unit: 1655

Title: **GENOMIC POLYMORPHISM FOR PREDICTING THERAPEUTIC RESPONSE**

Assistant Commissioner for Patents
Washington, D.C. 20231

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**AMENDMENT AND RESPONSE TO OFFICE ACTION DATED
AUGUST 1, 2001**

In response to the Office Action, dated August 1, 2001, in the above-identified patent application, Applicants respectfully request reconsideration of the application in view of the following Amendments and Remarks. This reply is not timely filed. A petition to revive the application under 37 C.F.R. § 1.137(b) accompanies this response.

I. CLAIM AMENDMENTS

Please cancel claims 1-34 without prejudice to pursuing the subject matter of these claims in a subsequent application. Please add new claims 35-60 as follows:

- 1 35. A method for the treatment of a cancer in a subject, the method comprising:
- 2 (a) determining a genomic polymorphism in the subject with said cancer;
- 3 (b) selecting a chemotherapeutic drug to administer to said subject to treat said cancer
- 4 depending on the type of genomic polymorphism determined in step (a); and
- 5 (c) administering said chemotherapeutic drug to said subject,